

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-6-04, A-588-054]

#### **Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Preliminary Results of Antidumping Duty Administrative Reviews, Termination in Part, and Intent To Revoke in Part**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of preliminary results of antidumping duty administrative reviews, termination in part, and intent to revoke in part.

**SUMMARY:** In response to requests by the petitioner and one respondent, the Department of Commerce (the Department) has conducted administrative reviews of the antidumping duty order on Tapered Roller Bearings (TRBs) and Parts Thereof, Finished and Unfinished, from Japan (A-588-604), and of the finding on TRS, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan (A-588-054). The review of the A-588-054 finding covers 3 manufacturers/exporters of the subject merchandise and 10 resellers/exporters of the subject merchandise to the United States during the period October 1, 1992 through September 30, 1993. Of these, two firms reported no shipments of the subject merchandise during the review period. The review of the A-588-604 order covers 5 manufacturers/exporters, 10 resellers/exporters, and 18 forging producers, and the period October 1, 1992 through September 30, 1993. Of these, five firms reported no shipments of the subject merchandise during the review period.

We have preliminarily determined that sales have been made below the foreign market value (FMV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the United States price (USP) and the FMV.

Interested parties are invited to comment on these preliminary results. **EFFECTIVE DATE:** May 5, 1995.

**FOR FURTHER INFORMATION CONTACT:** Valerie Turoscy or John Kugelman, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230, telephone: (202) 482-5253.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On August 18, 1976, the Treasury Department published in the **Federal Register** (41 FR 34974) the antidumping finding on TRBs from Japan, and on October 6, 1987, the Department published the antidumping duty order on TRBs from Japan (52 FR 37352). On October 18, 1993 (58 FR 53709), the Department published the notice of "Opportunity to Request an Administrative Review" for both TRB cases. The petitioner, the Timken Co. (Timken), and one respondent requested administrative reviews. We initiated the A-588-054 and A-588-604 administrative reviews for the period October 1, 1992 through September 30, 1993, on November 17, 1993 (58 FR 60600). The Department has now conducted these reviews for all firms except Koyo Seiko Company, Ltd. (Koyo), in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act). We will publish our preliminary results for this period with respect to Koyo at a later date.

##### **Scope of the Review**

Imports covered by the A-588-054 finding are sales or entries of TRBs, four inches or less in outside diameter when assembled, including inner race or cone assemblies and outer races or cups, sold either as a unit or separately. This merchandise is classified under the Harmonized Tariff Schedule (HTS) item numbers 8482.20.00 and 8482.99.30.

Imports covered by the A-588-604 order include TRBs and parts thereof, finished and unfinished, which are flange, take-up cartridge, and hanger units incorporating TRBs, and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. Products subject to the A-588-054 finding are not included within the scope of this order, except for those manufactured by NTN Toyo Bearing Co., Ltd. (NTN). This merchandise is currently classifiable under HTS item numbers 8482.99.30, 8483.20.40, 8482.20.20, 8483.20.80, 8482.91.00, 8484.30.80, 8483.90.20, 8483.90.30, and 8483.90.60. These HTS item numbers and those for the A-588-054 finding are provided for convenience and Customs purposes. The written description remains dispositive.

On February 2, 1995, the Department published in the **Federal Register** its final scope determination regarding Koyo's rough forgings (60 FR 6519). Because we determined that these forgings were within the scope of the A-588-604 order on TRBs from Japan, we have considered such forgings within the scope of the A-588-604 order for these preliminary review results.

The period of review (POR) for the order and the finding is October 1, 1992 through September 30, 1993. These reviews cover TRB sales by four TRB manufacturers/exporters (NSK Ltd. (NSK), NTN, Nachi-Fujikoshi Corporation (Nachi), and Maekawa Bearing Mfg., Co., Ltd. (Maekawa)), and 10 resellers/exporters (Honda Motor Co., Ltd. (Honda), Fuji Heavy Industries, Ltd. (Fuji), Kawasaki Heavy Industries, Ltd. (Kawasaki), Yamaha Motor Co., Ltd. (Yamaha), Sumitomo Corporation (Sumitomo), Itochu Co., Ltd. (Itochu), Suzuki Motor Co., Ltd. (Suzuki), Nigata Converter Co., Ltd. (Nigata), Toyosha Co., Ltd. (Toyosha), and MC International (MC Int'l)). These reviews also cover U.S. sales of forgings by NTN and 18 other firms originally identified as Japanese forging producers (Daido Steel Co., Ltd., Asakawa Screw Co., Ltd., Fuse Rashi Co., Ltd., Hamanaka Nut Mfg. Co., Ltd., Ichibanagi Tekko, Isshi Nut Industries, Kawada Tekko, Kinki Maruseo Nut Kogyo Kumiai, Kitazawa Valve Co., Ltd. (Kitz Corp.), Nittetsu Bolten (Nittetsu), Shiga Bolt, Shinko Bolt, Sugiura Seisakusho, Sumikin

Seiatsu, Toyo Valve Co., Unytite Fastener Mfg. Co., Ltd. (Unytite Kogyo), Gotoh Nut Seisakusho, and Kawada Tekkoshu). We are terminating our review for 14 of these 18 firms as described below.

### Best Information Available (BIA)

#### Total BIA

For the purposes of these preliminary results, in accordance with section 776(c) of the Tariff Act, for several firms we applied a rate based on BIA. We determined the rate to use as BIA according to the "two-tiered" BIA methodology outlined in Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, et. al.; Final Results of Antidumping Administrative Reviews, Partial Termination of Administrative Reviews, and Revocation in Part of Antidumping Duty Orders, 60 FR 10900, 10907 (February 28, 1995) (AFBs). Based on this methodology we used BIA as follows:

1. When a company refused to provide the information requested in the form required, or otherwise significantly impeded these proceedings, we used as total BIA the higher of (1) the highest rate found for any firm for the same class or kind of merchandise in the same country of origin in the less-than-fair-value (LTFV) investigation or prior administrative reviews; or (2) the highest rate found in this review for any firm for the same class or kind of merchandise in the same country of origin.

2. When a company substantially cooperated with our requests for information including, in some cases, verification, but failed to provide complete or accurate information in a timely manner or in the form required or was unable to substantiate it, we used as total BIA the higher of (1) the highest rate ever applicable to that firm for the same class or kind of merchandise from either the LTFV investigation or a prior administrative review (or, if the firm had never before been investigated or reviewed, the "all others" rate from the LTFV investigation), or (2) the highest calculated rate in this review for any firm for the class or kind of merchandise from the same country of origin. See AFBs and *Allied-Signal Aerospace Co. v. United States*, Court No. 94-1112 (June 30, 1994, CAFC).

Thus, for first-tier (non-cooperative) BIA in these reviews we have used for the A-588-604 review the highest calculated rate for any firm in the history of the order (*i.e.*, 40.37 percent, the rate for NSK in the 1988-89 A-588-604 review), and for the A-588-054

review we have used the highest calculated rate for any firm in the history of the A-588-054 finding (*i.e.*, 47.63 percent, the rate for Koyo in the 1987-88 A-588-054 review). Listed below is a company-by-company summary of the total BIA used in these reviews.

#### A. First-Tier (Non-Cooperative) BIA

(i) Yamaha, Toyosha, Nigata, and Suzuki: None of these firms responded to our questionnaire in either the A-588-054 or the A-588-604 review. Therefore, based on the above criteria, as first-tier BIA for each of these firms in the A-588-604 review, we used 40.37 percent, and for each of these firms in the A-588-054 review, we used 47.63 percent.

(ii) Nachi: Since Nachi did not respond to our questionnaire in the A-588-604 review, we applied to Nachi a first-tier BIA rate of 40.37 percent in that review.

(iii) Ichiyanagi Tekko, Nittetsu, and Sumikin Seiatsu: These three forgoing producers, which are involved only in the A-588-604 review, did not respond to our questionnaire. As a result, for each firm we used a first-tier BIA rate of 40.37 percent.

#### B. Second-Tier (Cooperative) BIA

Because Kawasaki submitted a majority of its information in an untimely manner and because its timely submitted information was an inadequate basis for analysis, we used a total BIA rate for Kawasaki for both reviews. However, because Kawasaki was not uncooperative, in that it supplied the Department with substantive responses to our questionnaires, we used a second-tier BIA rate. Because the highest rate for Kawasaki in any previous A-588-054 review was zero (0.0) percent and Kawasaki was not party to the LTFV investigation, we have used the highest calculated rate for any firm from this A-588-054 review as total BIA for Kawasaki (NSK's 11.67 percent). Because Kawasaki has never before been party to an A-588-604 review or the A-588-604 LTFV investigation, we have used, as cooperative BIA for Kawasaki in the A-588-604 review, the A-588-604 "all others" rate from the LTFV investigation of 36.52 percent.

### No Shipments

#### Resellers

Three resellers, Honda, Fuji, and MC In'tl, made no shipments of A-588-604 subject merchandise during the review period. Furthermore, none of these three firms was a party to the A-588-604

LTFV investigation or any prior reviews of the A-588-604 case. Because their shipments have never been reviewed individually, we have not assigned an individual rate to any of these firms for the A-588-604 review. If any of these firms begin shipping subject merchandise at some future date, the entries will receive deposit rates attributable to the manufacturer(s) of the subject merchandise.

#### Manufacturers

Because Nachi and Maekawa did not make any shipments of merchandise subject to the A-588-054 case during the review period, their calculated rates from the last period in which they made shipments will continue to apply to A-588-054 merchandise (18.07 percent for Nachi and zero (0) percent for Maekawa). Maekawa also made no shipments of merchandise subject to the A-588-604 case during the review period. We have not assigned an individual rate to Maekawa, which was not a party to the LTFV investigation or any prior review of the A-588-604 case. If Maekawa, a manufacturer, were to begin shipping at some future date, the entries would receive the A-588-604 LTFV "all others" rate of 36.52 percent.

Concerning those firms described in Timken's initiation request as possible forging producers, only one of the 18 firms, Daido Steel Co., Ltd. (Daido), reported that it actually produced forgings used in the manufacture of TRBs. However, Daido also indicated that it did not sell these forgings to the United States, but rather only sold such merchandise to companies in Japan. Because this firm had no U.S. shipments of this merchandise during the review period and has never been involved in an A-588-604 review or the LTFV investigation, we have not assigned an individual rate to Daido for the A-588-604 review. If Daido were to begin shipping at some future date, the entries would receive the A-588-604 LTFV "all others" rate of 36.52 percent.

### Termination in Part

Twelve of the 18 producers with forging operations reported that they did not produce the forgings which have been found to be within the scope of the order, but rather only produced non-scope merchandise such as nuts, bolts, and valves. As a result, because these firms do not produce or sell subject merchandise, we are terminating the A-588-604 review for the following 12 firms: Asakawa Screw Co., Ltd., Fuse Rashi Co., Ltd., Hamanaka Nut Mfg. Co., Ltd., Isshi Nut Industries, Kawada Tekko, Kinki Maruseo Nut Kogyo Kumiai, Kitz Corp., Shiga Bolt, Shinko

Bolt, Sugiura Seisakusho, Toyo Valve Co., and Unytite Kogyo.

We initiated reviews (58 FR 60600) of two other supposed forging producers, Kawada Tekkosho and Gotoh Nut Seisakusho. We are also terminating the A-588-604 review of these two firms because Kawada Tekkosho is not a separate firm but simply another name for Kawada Tekko, and, as indicated in a December 1, 1993, letter from the petitioner, Gotoh Nut Seisakusho is no longer in business.

Our termination of the A-588-604 review for these 14 firms does not constitute a revocation of these firms from the order. If any of the above 14 firms ever becomes a manufacturer/exporter of TRBs or forgings used in the production of TRBs, its sales to the United States will be subject to the order.

### Resellers/Shippers

Of the 11 resellers covered by these reviews, we have determined that Sumitomo and Itochu are mere shippers of the subject merchandise and do not warrant their own margins. Itochu and Sumitomo contract with larger Japanese companies/suppliers to ship TRBs from the suppliers to the suppliers' U.S. subsidiaries. Because these supplies knew at the time of sale to Itochu and Sumitomo that these TRBs were destined for the United States, and because Itochu and Sumitomo had no influence over the sales prices or quantities of these shipments, we have determined that the suppliers' rates, and not unique Sumitomo or Itochu rates, should be applied for cash deposit and appraisal purposes. See Antifriction bearings (Other than Tapered Roller Bearings) and parts thereof from Germany, et al.; Final Results of Antidumping Duty Administrative Review, 56 FR 31692, 31747 (July 11, 1991).

### USP

The Department used exporter's sales price (ESP) for NSK, NTN, Honda, Fuji, and MC Int'l, and purchase price, as defined in section 772 of the Tariff Act, for NTN's sales to Caterpillar and certain of Fuji's sales to calculate USP. ESP was based on the packed, delivered price to unrelated purchasers in the United States. We made adjustments, where applicable, for foreign pre-sale inland freight, foreign inland freight, air freight, ocean freight, marine insurance, export inspection fees, brokerage and handling, U.S. inland freight, U.S. duty, commissions to unrelated parties, U.S. credit, discounts, rebates, sales allowances, billing adjustments, technical service expenses, warranties,

packing expenses incurred in the United States, and indirect selling expenses (which include inventory carrying costs, warehouse transfer expenses, advertising, other U.S.-incurred selling expenses, and export selling expenses). For NTN, we also adjusted ESP for value added in further manufacturing, including an allocation of profit earned on U.S. sales.

NTN's and Fuji's purchase price sales were based on the sales price to the unrelated purchaser in the United States. We made adjustments to purchase price, where appropriate, for foreign pre-sale inland freight, foreign inland freight, ocean freight, marine insurance, brokerage and handling, U.S. duty, U.S. inland freight, export inspection fees, and rebates.

We also adjusted USP (purchase price and ESP) for taxes in accordance with our practice as outlined in Silicomanganese from Venezuela, Preliminary Determination of Sales at Less Than Fair Value, 59 FR 31204, June 17, 1994 (Silicomanganese).

No other adjustments were claimed or allowed.

### FMV

Because the home market was viable for NTN, NSK, Honda, and Fuji, we compared U.S. sales with sales of such or similar merchandise in the home market.

In general, the Department relies on monthly weighted-average prices in the calculation of FMV. In consideration of the significant volume of home market sales involved in these reviews, consistent with section 777A of the Tariff Act, we used an average of respondents' home market sales for each review period. To determine whether an annual average was representative of the transactions under consideration, we performed the following three-step test (see AFBs). First, we compared the annual weighted-average home market price for each model with each of its 12 monthly weighted-average prices for each review period. We calculated the proportion of each model's sales for which the annual weighted-average price did not vary more than plus or minus 10 percent from the monthly weighted-average prices. Second, we compared the volume of sales of all models for which annual weighted-average prices did not vary more than plus or minus 10 percent from the monthly weighted-average prices with the total volume of sales of TRBs. If the annual weighted-average price of at least 90 percent of the sales of TRBs for a given firm did not vary more than plus or minus 10 percent from the monthly weighted-average price, we considered

the annual weighted-average price to be representative of the transactions under consideration for that firm. Third, we tested whether there was any correlation between fluctuations in price and time for each model. Where the correlation coefficient was less than 0.05 (where a coefficient approaching 1.0 indicates a direct relation between price and time), we concluded that there was no significant relation between price and time. Because the annual weighted-average prices for TRBs sold by NSK, Fuji, MC Int'l and NTN in each case during the review period did not vary meaningfully from the monthly weighted-average prices of sales, and because there was no correlation between price and time, we considered the annual weighted-average prices for each review period to be representative of the transactions under consideration. Therefore, we calculated a single FMV for each model sold by NSK, MC Int'l, and NTN on an annual weighted-average basis.

Because Honda sold all its TRBs to all its customers in the home market according to a single price list (which changed only once during the review period), it was unnecessary for us to calculate a single FMV for each model sold by Honda on an annual weighted-average basis.

Based on petitioner's allegations and the Department's previous determinations of sales made below the cost of production (COP), in accordance with section 773(b) on the Tariff Act, we determined that there were reasonable grounds to believe or suspect that, for this review period, NTN and NSK made sales of subject merchandise in the home market at prices less than the COP. As a result, we investigated whether NTN or NSK sold such or similar merchandise in the home market at prices below the COP. In accordance with 19 CFR 353.51(c) we calculated COP for NTN and NSK as the sum of reported materials, labor, factory overhead, and general expenses, and compared COP to home market prices, net of price adjustments and discounts.

In accordance with section 773(b) of the Tariff Act, in determining whether to disregard home market sales made at prices below the COP, we examined whether such sales were made in substantial quantities over an extended period of time, and whether such sales were made at prices which permit recovery of all costs within a reasonable period of time in the normal course of trade.

In accordance with our normal practice, for each model for which less than 10 percent, by quantity, of the home market sales during the POR were

made at prices below the COP, we included all sales of the model in the computation of FMV. For each model for which 10 percent or more, but less than 90 percent, of the home market sales during the POR were priced below the merchandise's COP, we excluded from the calculation of FMV those home market sales which were priced below the merchandise's COP, provided that these below-cost sales were made over an extended period of time. For each model for which 90 percent or more of the home market sales during the POR were priced below the COP and were made over an extended period of time, we disregarded all sales of that model in our calculation and, in accordance with section 776(b) of the Tariff Act, we used the constructed value (CV) of those models, as described below. See, for example, *Mechanical Transfer Presses from Japan*, Final Results of Antidumping Duty Administrative Review, 59 FR 9958 (March 2, 1994).

In accordance with section 773(b)(1) of the Tariff Act, to determine whether sales below cost had been made over an extended period of time, we compared the number of months in which sales below cost occurred for a particular model to the number of months in which that model was sold. If the model was sold in fewer than three months, we did not disregard below-cost sales unless there were below-cost sales of that model in each month sold. If a model was sold in three or more months, we did not disregard below-cost sales unless there were sales below cost in at least three of the months in which the model was sold. We used CV as the basis for FMV when an insufficient number of home market sales were made at prices above COP. See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan*; Final Results of Antidumping Duty Administrative Reviews, 58 FR 64720, 64729 (December 8, 1993).

In the case of NTN and NSK, we compared each firm's individual home market prices with annual COPs. We tested each firm's home market prices on a model-specific basis and found, for each firm, (1) Models where more than 90 percent of the home market sales were made at below-COP prices and were made over an extended period of time, (2) other models where between 10 and 90 percent of home market sales were made at below-COP prices and over an extended period of time, and (3) yet other models where less than 10 percent of home market sales were made at below-COP prices. See *Polyethylene*

*Terephthalate Film, Sheet, and Strip from Korea*, 56 FR 16306 (April 22, 1991).

Because NTN and NSK provided no indication that their below-cost sales of models within the "greater than 90 percent" and the "between 10 and 90 percent" categories were at prices that would permit recovery of all costs within a reasonable period of time and in the normal course of trade, we disregarded those sales of models within the "10 to 90 percent" category which were made below cost over an extended period of time. In addition, as a result of our COP test for home market sales of models within the "greater than 90 percent" category, we based FMV on CV for all U.S. sales for which there were insufficient sales of the comparison home market model at or above COP. Finally, where we found, for certain of NTN's and NSK's models, home market sales for which less than 10 percent were made at below-COP prices, we used all home market sales of these models in our comparisons.

We used CV as FMV for those U.S. sales for which there were insufficient sales of the comparison home market model at or above COP, and for those U.S. sales for which there was no sale of such or similar merchandise in the home market. We calculated CV in accordance with section 773(e) of the Tariff Act. We included the cost of materials, labor, and factory overhead in our calculations. Where the actual selling, general, and administrative expense (SG&A) were less than the statutory minimum of 10 percent of the cost of manufacture (COM), we calculated SG&A as 10 percent of the COM. Where the actual profits were less than the statutory minimum of 8 percent of the COM plus SG&A, we calculated profit as 8 percent of the sum of COM plus SG&A. Based on our verification of NSK's cost response, we adjusted NSK's reported COP and CV to reflect the actual COP of related-party inputs.

In accordance with section 773 of the Tariff Act, for those U.S. models for which we were able to find a home market such or similar match that had sufficient above-cost sales, we calculated FMV based on the packed, F.O.B., ex-factory, or delivered prices to related purchasers (where an arm's-length relationship was demonstrated) and unrelated purchasers in the home market. We made adjustments, where applicable, for post-sale inland freight, and for home market direct expenses such as credit, commissions, and warranties. We also made adjustments for discounts, rebates and differences in physical characteristics. In addition, for comparison to ESP sales, we adjusted

FMV for indirect selling expenses (which include advertising, inventory carrying costs, pre-sale inland freight, and other selling expenses) in the home market, limiting the home market indirect selling expense deductions by the amount of indirect selling expenses incurred in the United States. In situations where a U.S. sale with no commission was compared to a home market sale with a commission, the Department limited the deduction from FMV for home market indirect selling expenses by the amount of U.S. indirect selling expenses less the home market commission amount, rather than the entire amount of U.S. indirect expenses. In cases where a commission was granted on the U.S. sale only, we increased the amount classified as U.S. indirect selling expenses by the amount of the U.S. commission for comparison to home market indirect selling expenses. The deduction from FMV for home market indirect selling expenses was limited by the amount of the enhanced U.S. indirect selling expenses. We also adjusted FMV for the Japanese consumption tax in accordance with our decision in *Silicomanganese*, and, after deducting home market packing, we added to FMV packing expenses incurred in Japan for U.S. sales.

For comparison to purchase price sales, pursuant to section 773 of the Tariff Act, we added to FMV, where applicable, U.S. packing, credit, and direct advertising. We adjusted FMV for the Japanese consumption tax in accordance with our decision in *Silicomanganese*, and for comparison to both ESP and purchase price sales, NTN requested and received a level-of-trade adjustment to FMV based on certain home market indirect expenses.

Because MC Int'l did not sell TRBs in the home market during the review period, but rather only exported TRBs to the United States and other third-country markets, in accordance with section 773(a)(1) of the Tariff Act, we determined that, for MC Int'l, the home market was not viable. Therefore, pursuant to 19 CFR 353.48, for MC Int'l we based FMV on third-country sales.

In selecting the appropriate third-country market to use for comparison purposes, we first determined which third-country markets had adequate volumes of sales within the meaning of 19 CFR 353.49(b)(1). We determined that the volume of sales to a third-country market was adequate if the quantity of sales of such or similar merchandise equalled or exceeded five percent of the quantity of sales in the United States. We then selected the third-country market with the largest volume of sales, and with an

organization and development most like that of the United States, as the most appropriate market for comparison, in accordance with 19 CFR 353.49(b)(2) and 19 CFR 353.49(b)(3). Therefore, for MC Int'l's sales of TRBs to the first unrelated customer in the United States, we based FMV on MC Int'l's sales in Germany. In addition, we applied to MC Int'l's German sales the identical price stability test described above and because the annual weighted-average prices for TRBs sold by MC Int'l in Germany did not vary meaningfully from the monthly weighted-average prices of sales, and because there was no correlation between price and time, we considered the annual weighted-average German prices to be representative of the transactions under consideration. Therefore, we calculated a single FMV for each model sold by MC Int'l in Germany on an annual weighted-average basis.

No other adjustments were claimed or allowed.

#### Intent To Revoke

As a result of these preliminary results, we intend to revoke the A-588-054 finding with respect to Honda. Based on the fact that we found no margins for Honda's sales for the periods from January 1977 through July 1980, on September 1, 1981, we published in the **Federal Register** (46 FR 43864) our tentative determination to revoke the A-588-054 finding with respect to Honda. Based on the fact that Honda's margin was again zero (0.0) percent for the period from August 1, 1980 through September 1, 1981 (the "gap period"), on May 14, 1984, we published in the **Federal Register** (49 FR 20356) our intent to revoke Honda from the finding. However, the 1980-81 preliminary results for Honda and the accompanying intent to revoke have no official standing. This is due to events surrounding the 1984 change in the law which required the Department to conduct administrative reviews upon request. On August 30, 1985, we sent letters to all interested TRB parties asking them to indicate the periods and companies for which the Department had not issued final results of review so that parties could request a review. Because we had not yet published a final results notice for Honda for the 1980-81 period, this period was included in our letters. In our August 13, 1985, **Federal Register** publication of our transition provisions concerning administrative reviews upon request, we explicitly stated that if preliminary results were completed, but a request for review was not received, we would not issue final results and the preliminary

results would have no force or effect. (See Antidumping and Countervailing Duties; Administrative Reviews on Request; Transition Provisions, 50 FR 32557 (August 13, 1985).) Because we did not receive a request to review Honda for the 1980-81 period, we did not issue final results, we did not finalize Honda's revocation, and the May 14, 1984, preliminary results and intent to revoke have no official standing.

In November 1992, when we initiated these 1992-93 reviews, Honda requested final revocation from the A-588-054 finding. However, given the above-described events, we are unable to issue a final revocation at this time. Rather, we must return to the intent to revoke stage of the A-588-054 proceeding. While the intent to revoke notice normally covers the "gap period," it has been the Department's policy in similar situations where revocation proceedings were begun, but never finalized and a significant backlog exists, to conduct an "update" review of the most recent one-year period, in lieu of the "gap period" (see Television Receivers, Monochrome and Color, from Japan; Final Results of Antidumping Administrative Reviews, 55 FR 35916 (September 4, 1990), and Roller Chain, Other Than Bicycle, from Japan; Final Results of Antidumping Administrative Review and Determination Not to Revoke in Part, 56 FR 50093 (October 3, 1991)). We have determined that this review constitutes such an update review.

We have reviewed and verified Honda for the 1992-93 period and have preliminarily found no margin for Honda for the period October 1, 1992 through September 30, 1993. Because Honda made no sales of merchandise covered by the A-588-054 finding at LTFV for at least three consecutive years (January 1977 through September 1981) and because there is no evidence on the record to indicate the likelihood of Honda's resumption of sales at LTFV in the future, we intend to revoke Honda from the A-588-054 finding in accordance with section 751(c) of the Tariff Act and 19 CFR 353.25. If Honda's margin does not change for our final results of this review, we will proceed with Honda's final revocation in our final results notice. As provided for in section 353.25(2)(iii) of the Department's regulations, Honda has agreed in writing to an immediate suspension of liquidation and reinstatement in the finding if circumstances develop which indicate that TRBs and certain components thereof exported by Honda and thereafter imported into the United

States are being sold at less than fair value. If this finding is revoked with respect to Honda, the revocation will apply to entries of TRBs and certain components thereof subject to the A-588-054 case exported by Honda, entered or withdrawn from warehouse, for consumption on or after September 1, 1981, the date of the original tentative revocation, and for which liquidation remains suspended.

On May 14, 1984, the Department also published in the **Federal Register** (49 FR 20356) the tentative determination to revoke the A-588-054 finding with respect to Fuji, Kawasaki, Yamaha, and Suzuki. Pursuant to 19 CFR 353.25(a), revocation of a finding or order is discretionary on the part of the Secretary. Because, for these preliminary results, we have determined margins for each of these firms for the A-588-054 review (whether calculated or the result of BIA), we have determined that they do not meet the requirement in 19 CFR 353.25(a)(ii) that they are unlikely to sell merchandise in the future at less than FMV. Therefore, we will not consider further revocation proceedings for any of these firms at this time.

#### Preliminary Results of Review

As a result of our comparison of USP to FMV we preliminarily determine that the following margins exist for the period October 1, 1992 through September 30, 1993:

##### For the A-588-054 Review

Manufacturer/ Reseller/ Exporter	Margin (%)
Nachi-Fujikoshi Corp. ....	<sup>1</sup> 18.07
NSK Ltd. ....	11.67
Fuji ....	1.81
Honda ....	0
Kawasaki ....	11.67
Yamaha ....	47.63
MC Int'l ....	0.45
Maekawa ....	<sup>1</sup> 0
Toyosha ....	47.63
Nigata ....	47.63
Suzuki ....	47.63

<sup>1</sup> No shipments or sales subject to this review. Rate is from the last relevant segment of the proceeding in which the firm had shipments/sales.

##### For the A-588-604 Review

Manufacturer/ Reseller/ Exporter	Margin (%)
NTN ....	14.06
Nachi-Fujikoshi Corp. ....	40.37
NSK Ltd. ....	10.39
Fuji ....	(2)
Honda ....	(2)
Kawasaki ....	36.52

Manufacturer/ Reseller/ Exporter	Margin (%)
Yamaha .....	40.37
MC Int'l .....	(2)
Maekawa .....	(2)
Toyosha .....	40.37
Nigata .....	40.37
Suzuki .....	40.37
Daido .....	(2)
Ichiyanagi Tekko .....	40.37
Nittetsu Bolten .....	40.37
Sumikin Seiatu .....	40.37

<sup>2</sup>No shipments or sales subject to this review. The firm has no rate from any segment of this proceeding.

Interested parties may request disclosure within 5 days of the date of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication or the first business day thereafter. Case briefs and/or written comments from interested parties may be submitted no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in those comments, may be filed not later than 37 days after the date of publication of this notice. The Department will publish the final results of these administrative reviews including the results of its analysis of issues raised in any such written comments or at a hearing.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between the USP and FMV may vary from the percentages stated above.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative reviews, as provided for by section 751(a)(1) of the Tariff Act. A cash deposit of estimated antidumping duties shall be required on shipments of TRBs from Japan as follows:

(1) The cash deposit rates for the reviewed companies will be those rates established in the final results of these reviews;

(2) For previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period;

(3) If the exporter is not a firm covered in these reviews, a prior review, or the original LTFV investigations, but the manufacturer is, the cash deposit rate will be the rate established for the

most recent period for the manufacturer of the merchandise; and

(4) If neither the exporter nor the manufacturer is a firm covered in these or any previous reviews conducted by the Department, the cash deposit rate for the A-588-054 case will be 18.07 percent and 36.52 percent for the A-588-604 case (see Preliminary Results of Antidumping Duty Administrative Reviews; Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan and Tapered Roller Bearings Four Inches or Less in Outside Diameter, and Components Thereof, From Japan, 58 FR 51,058, 51,061 (September 30, 1993)).

All U.S. sales by each respondent will be subject to one deposit rate according to the proceeding.

The cash deposit rate has been determined on the basis of the selling price to the first unrelated customer in the United States. For appraisal purposes, where information is available, the Department will use the entered value of the merchandise to determine the appraisal rate.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These administrative reviews and this notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: April 27, 1995.

**Susan G. Esserman,**  
*Assistant Secretary for Import Administration.*

[FR Doc. 95-11160 Filed 5-4-95; 8:45 am]  
BILLING CODE 3510-DS-M

#### [A-301-602]

#### **Certain Fresh Cut Flowers From Colombia; Initiation of Administrative Review and Request for Revocation in Part of the Antidumping Duty Order**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of initiation of administrative review and request for revocation in part of the antidumping duty order.

**SUMMARY:** The Department of Commerce (the Department) has received requests

to conduct an administrative review of the antidumping duty order on certain fresh cut flowers from Colombia. Requests for revocation from the antidumping order were also received from specific exporters/growers. In accordance with the Department's regulations, we are initiating this administrative review for the period March 1, 1994 through February 28, 1995, for those named exporters/growers for whom a request for review was received. The Department is also identifying those exporters/growers which have requested revocation from the antidumping duty order.

**EFFECTIVE DATE:** May 5, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mark Ross, Thomas Schauer, or Richard Rimlinger, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230; telephone: (202) 482-4733.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The Department has received timely requests, in accordance with 19 CFR 353.22 (a)(1), (a)(2), and (a)(3) (1994), for an administrative review of the antidumping duty order on certain fresh cut flowers from Colombia. The Department has also received requests for revocation from the exporters/growers noted.

##### **Initiation of Review**

In accordance with 19 CFR 353.22(c)(1), we are initiating an administrative review of the antidumping duty order on certain fresh cut flowers from Colombia. We intend to issue the final results of this review no later than March 31, 1996.

We received requests for review of the following specifically named exporters/growers:

Agricola Acevedo  
Agricola Arenales Ltda.  
Agricola Circasia  
Agricola el Cactus S.A.  
Agricola la Corsaria Ltda.  
Agricola la Montana  
Agricola Las Cuadras  
Agrodex Group  
Agroindustria del Rio Frio Ltda.  
Agroindustrial Don Eusebio  
Agromonte  
Agropecuria Cuernavaca Ltda.  
Andes Group  
Cultivos Buenavista Ltda.  
Flores de los Andes Ltda.  
Flores Horizonte Ltda.  
Inversiones Penas Blancas Ltda.  
Astro Flowers